

TRADEMARKS

Additional article signed at Brussels December 20, 1868, supplementing treaty of July 17, 1858

Senate advice and consent to ratification April 12, 1869

Ratified by the President of the United States April 18, 1869

Ratified by Belgium May 10, 1869

Ratifications exchanged at Brussels June 19, 1869

Entered into force June 19, 1869

Proclaimed by the President of the United States July 30, 1869

*Terminated July 1, 1875*¹

16 Stat. 765; Treaty Series 26

The President of the United States of America and his Majesty the King of the Belgians, deeming it advisable that there should be an additional article to the treaty of commerce and navigation between them of the 17th July, 1858,² have for this purpose named as their plenipotentiaries, namely: the President of the United States, Henry Shelton Sanford, a citizen of the United States, their minister resident near his Majesty the King of the Belgians; and his Majesty the King of the Belgians, the Sieur Jules Vander Stichelen, grand cross of the Order of the Dutch Lion, &c., &c., &c., his minister of foreign affairs; who, after having communicated to each other their full powers, have agreed to and signed the following:

ADDITIONAL ARTICLE

The high contracting parties, desiring to secure complete and efficient protection to the manufacturing industry of their respective citizens, agree that any counterfeiting in one of the two countries of the trade marks affixed in the other on merchandise, to show its origin and quality, shall be strictly prohibited, and shall give ground for an action of damages in favor of the injured party, to be prosecuted in the courts of the country in which the counterfeit shall be proven.

The trade marks in which the citizens of one of the two countries may wish to secure the right of property in the other, must be lodged, to wit: the marks of citizens of the United States, at Brussels, in the office of the clerk

¹ Pursuant to notice of termination given by the United States July 1, 1874.

² TS 20, *ante*, p. 454.

of the tribunal of commerce; and the marks of Belgian citizens, at the Patent Office in Washington.

It is understood that if a trade mark has become public property in the country of its origin, it shall be equally free to all in the other country.

This additional article shall have the same duration as the before-mentioned treaty of the 17th July, 1858, to which it is an addition. The ratifications thereof shall be exchanged in the delay of six months, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed the same, and affixed thereto their seals.

Done at Brussels in duplicate, the twentieth of December, eighteen hundred and sixty-eight.

H. S. SANFORD

[SEAL]

JULES VANDER STICHELEN

[SEAL]